

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JAMES M. HOFFMAN,

Plaintiff,

v.

6:02-cv-1509

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

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THOMAS J. McAVOY  
Senior United States District Judge

**DECISION and ORDER**

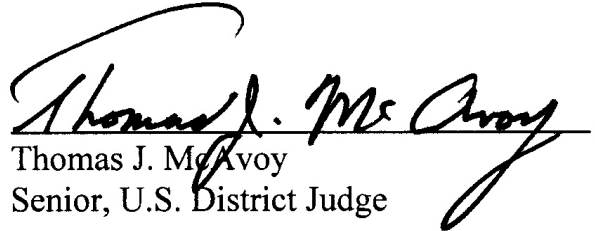
Plaintiff commenced the instant action challenging a decision by the Commissioner of Social Security denying his application for benefits. On February 19, 2004, an Administrative Law Judge determined that Plaintiff was disabled since April 28, 1997 (the date of his application) through at least February 19, 2004. Plaintiff now moves for entry of judgment in his favor in accordance with the decision of the ALJ and also moves for attorneys' fees. The government consents to Plaintiff's attorneys' fee application.

Having reviewed the record, the Court finds that, pursuant to 42 U.S.C. § 405(g), Plaintiff is entitled to a judgment confirming the Commissioner's determination that Plaintiff was disabled for purposes of entitlement to Supplemental Security Income since April 28, 1997. Further, because the government has consented to Plaintiff's fee application, Plaintiff shall be entitled to \$12,596.25 in attorneys' fees, of which \$3,877.69 is payable to Plaintiff

pursuant to the Equal Access to Justice Act. The Clerk of the Court shall close the file in this matter.

IT IS SO ORDERED.

Dated: March 24, 2006

  
Thomas J. McAvoy  
Senior, U.S. District Judge